

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Michael N. Kaye,

Plaintiff,

Case No. 08-12570

v.

Hon. Nancy G. Edmunds

Acme Investments, Inc., et. al.,

Defendants.

ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that, as to Defendants' Motion for Dismissal Pursuant to F.R.C.P. 12(b)(1) & (6), the federal claims under 42 U.S.C. § 4852(d) are hereby DISMISSED WITH PREJUDICE. The Court declines supplemental jurisdiction over Plaintiff's remaining state law claim of retaliatory lease termination and, therefore, those claims are DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: December 8, 2008

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 8, 2008, by electronic and/or ordinary mail.

s/Caryl A. Hemeyer
Case Manager